



March 7, 2000

Chief C.W. Daniel
Seven Points Police Department
P.O. Box 43233
Seven Points, Texas 75143

OR2000-0913

Dear Chief Daniel:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 134110.

The Seven Points Police Department (the “department”) received a request for a certain peace officer’s activity sheet and daily radio log for February 1, 1999. You claim that the driver’s license numbers and license plate numbers are excepted under section 552.130 of the Government Code. You further ask whether the “names, phone numbers, and addresses of persons giving information to the [d]epartment” fall under an exception to disclosure.

First, we address your question regarding the “names, phone numbers, and addresses of persons giving information to the [d]epartment.” Section 552.301(b) requires a governmental body to state the exceptions that apply to withhold information from public disclosure. Because you have not asserted an exception to withhold this information as required by section 552.301(b), you must release the information.

As for the driver’s license numbers and license plate numbers, you must withhold this information under section 552.130 of the Government Code. Section 552.130 excepts from public disclosure information relating to a driver’s license or a motor vehicle title or registration issued by an agency of this state. The remaining information must be released to the requestor.

This letter ruling is limited to the particular records at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other records or any other circumstances.

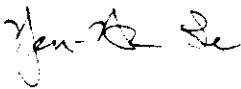
This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For example, governmental bodies are prohibited from asking the attorney general to reconsider this ruling. Gov't Code § 552.301(f). If the governmental body wants to challenge this ruling, the governmental body must appeal by filing suit in Travis County within 30 calendar days. *Id.* § 552.324(b). In order to get the full benefit of such an appeal, the governmental body must file suit within 10 calendar days. *Id.* § 552.353(b)(3), (c). If the governmental body does not appeal this ruling and the governmental body does not comply with it, then both the requestor and the attorney general have the right to file suit against the governmental body to enforce this ruling. *Id.* § 552.321(a).

If this ruling requires the governmental body to release all or part of the requested information, the governmental body is responsible for taking the next step. Based on the statute, the attorney general expects that, within 10 calendar days of this ruling, the governmental body will do one of the following three things: 1) release the public records; 2) notify the requestor of the exact day, time, and place that copies of the records will be provided or that the records can be inspected; or 3) notify the requestor of the governmental body's intent to challenge this letter ruling in court. If the governmental body fails to do one of these three things within 10 calendar days of this ruling, then the requestor should report that failure to the attorney general's Open Government Hotline, toll free, at 877/673-6839. The requestor may also file a complaint with the district or county attorney. *Id.* § 552.3215(e).

If this ruling requires or permits the governmental body to withhold all or some of the requested information, the requestor can appeal that decision by suing the governmental body. *Id.* § 552.321(a); *Texas Dep't of Public Safety v. Gilbreath*, 842 S.W.2d 408, 411 (Tex. App.—Austin 1992, no writ).

If the governmental body, the requestor, or any other person has questions or comments about this ruling, they may contact our office. Although there is no statutory deadline for contacting us, the attorney general prefers to receive any comments within 10 calendar days of the date of this ruling.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/ljp

Ref: ID# 134110

Encl. Submitted documents

cc: Mr. Ardy Stuart
P.O. Box 43528
Seven Points, Texas 75143
(w/o enclosures)